

17439 U.S. PTO  
08/01/03

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	Attorney Docket No. 045331/262602
	First Inventor Smith
	Title A METHOD OF ISOLATING STEM CELLS
	Express Mail Label No. EV 185285065 US

ADDRESS TO: MAIL STOP PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Clayton A. Smith, O. Michael Colvin, Robert W. Storms, Susan M. Ludeman

Assignee of this invention is Duke University

03917 U.S. PTO  
10/632377  
08/01/03

1. ☒ The Filing Fee has been calculated as shown below:
2. ☒ Applicant claims Small Entity Status. See 37 CFR 1.27.

No. Filed		No. Extra	Small Entity		Large Entity	
			Rate	Fee 1	Rate	Fee 0
BASIC FEE				\$ 375		\$ 0
TOTAL CLAIMS:	12 - 20 =	0	X 9 =	\$ 0	x 18 =	\$ 0
INDEP CLAIMS:	3 - 3 =	0	X 42 =	\$ 0	x 84 =	\$ 0
[ ] MULTIPLE DEPENDENT CLAIMS PRESENTED				+140 = \$		+280 = \$
*If the difference in Column 1 is less than zero, enter "0" in Column 2.			TOTAL	\$ 375	TOTAL	\$

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Acct. No. 16-0605.

- a. ☒ Fees required under 37 CFR 1.16 (National filing fees).
- b. ☒ Fees required under 37 CFR 1.17 (National application processing fees) including any extension of time fees under 37 CFR § 1.136(a) that are required for consideration of papers filed during prosecution.
- ☒ A check in the amount of \$ 375.00 for the filing fee is enclosed.
- ☐ The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.
3. ☒ Specification; Total Pages 27
4. ☒ 6 Sheets of Drawing(s) (35 USC 113)
5. ☒ Declaration and Power of Attorney; [Total Pages 2]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76
7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Copy (CRF)
  - b. ☐ Request for Transfer of Computer Readable Form of Sequence Listing under 37 CFR § 1.821(e) and MPEP 2422.05 (must be compliant with new rules)
  - c. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper (\_\_\_ Pages)
  - d. ☐ Statements verifying identity of above copies

#### ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s) (including a check for the \$40.00 fee)
10. ☒ 37 CFR 3.73(b) Statement (*when there is an assignee*); ☒ Power of Attorney
11. ☐ English Translation Document (*if applicable*)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449; \_\_\_ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
15. ☐ Certified Copy of Priority Document(s) (*if foreign priority is claimed*)  
☐ Foreign Priority is claimed as Application No. , filed
16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant **must** attach form PTO/SB35 or its equivalent.
17. ☐ Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.
18. **If a CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  
☐ Continuation ☒ Divisional ☐ Continuation in Part (CIP)
- of prior Application No: 09/701,413; Filed February 20, 2001, which claims priority to PCT Appl. No. PCT/US99/28769, filed 12/7/99, which claims priority to U.S. Provisional Appl. No. 60/111,195, filed 12/7/98.

Prior Application Information: Examiner V. Afremova Group/Art Unit: 1651

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. **CORRESPONDENCE ADDRESS** CUSTOMER NUMBER 00826

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Date of Deposit August 1, 2003

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Polly P. Burton  
Polly P. Burton RTA01/2140571v1

No new matter has been added by amendment. The Examiner is respectfully requested to enter the amendments prior to examination.

Respectfully submitted,

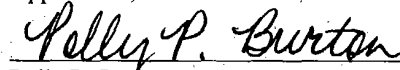


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